



PRESS RELEASE

**FOR IMMEDIATE RELEASE
May 9, 2003**

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FEDERAL CRIMINAL CHARGES FILED IN DRIVE BY SHOOTING ON SAN CARLOS APACHE INDIAN RESERVATION WHERE 3 MEN WERE SERIOUSLY INJURED. ONE OF THE MEN WAS HIT IN THE HEAD WITH AN AX.

PHOENIX, ARIZONA -- The United States Attorney's Office for the District of Arizona announced that on May 9, 2003, a federal criminal complaint was filed against Jensen Pike, (D.O.B. unknown), of Bylas, Arizona on the San Carlos Apache Indian Reservation. A separate criminal complaint arising from the same circumstances was also filed against Marlin Moses (DOB 9/14/84), also of Bylas, Arizona.

The complaints allege that Moses and others committed a drive by shooting at the residence of Allred Pike, Sr. in Bylas on the evening of Friday, May 2, 2003. Allred Pike, Sr. contacted San Carlos tribal police and reported the shooting. Soon thereafter, Pike, Sr., Jensen Pike, and others confronted the shooters at a different residence in Bylas. The complaint alleges that during the confrontation, Moses opened fire on

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Pike, Sr. and the others, shooting Pike, Sr. and Marshall Zaye. The complaint further alleges that Jensen Pike then hit Waylon Goseyun, who had been in the vehicle with Moses during the drive by shooting, in the head with an axe.

Allred Pike, Sr. and Marshall Zaye were flown to the University Medical Center in Tucson and are both listed in critical condition. Goseyun was flown to Scottsdale Osborn Hospital and was treated for a skull fracture, a laceration to the front of his skull, bleeding into his brain and a fractured right wrist.

The federal complaint charges Jensen Pike with violating Title 18 of the United States Code, Section 113(a)(3) - Assault with a Dangerous Weapon and Section 113(a)(6) - Assault Resulting in Serious Bodily Injury. The federal complaint against Marlin Moses charges him with two counts of Assault with a Dangerous Weapon and two counts of Assault Resulting in Serious Bodily Injury.

A conviction for these charges carries a maximum penalty of 10 year(s), a \$250,000 fine or both.

A complaint is simply the method by which a person is charged with criminal activity and raises no inference of guilt. An individual is presumed innocent until competent evidence is presented to a jury that establishes guilt beyond a reasonable doubt.

The investigation preceding the indictment was conducted by the Bureau of Indian Affairs and San Carlos Police Department.

The prosecution is being handled by Ann Birmingham Scheel, Assistant United States Attorney, District of Arizona, Phoenix, Arizona.

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